

Allegations against the Boxborough Police Department

In March of 2021 the Select Board received a certified letter from Andrea Veros, who was a former employee of the Town, making several loose allegations in a self described "exit interview". Upon receipt of the letter it was forwarded by Wes Fowlks, Chair at the time to counsel for review and advice on if action was needed. Counsel advised that the letter was considered an "exit interview" and so no further action was necessary. Additionally there was a high level of context in the letter where the loose allegations were not easy to understand.

Subsequently in September 24, 2021 Andrea sends a letter to the Assistant Town Administrator (ATA) Rajon Hudson, with more specific allegations of wrongdoing and provides examples/evidence.

Subsequently the Select Board holds a public hearing on 10/18/2021 at Ryder's request, where the Select Board listened to his responses to the allegations, and then a motion was made to refer the information to the FBI Public Corruption Unit for further review.

Chief Ryder has been the Police Chief for Boxborough since 2010 and prior to that was a member of the BPD. Additionally on the staff of the BPD there are some interesting connections.

- Sergeant Pelley is a childhood friend of the Chief, his daughter in-law worked as a dispatcher for the BPD as well
- Patriaka's brother went to the academy together with Chief Warren Ryder
- Bressi is new to town, however his family has a large house and boat up on Lake Winnepesaukee and would have Chief Ryder, Pelley and others join.
- Chief Ryder hired Select Board member Maria Neyland's daughter as a lock up attendant.

The following below are the areas for investigation and supplemental information and documents have been provided separately

Interesting Questions

- Has the Chief been subject to an IME (Independent Medical Exam) dictated by the insurance company?
 - If not, why did the other officers have to? Demora, Bielecki, etc

Hearsay/Rumors

- Chief's injury is cartilage wear, not actually incident related

AR15 Sale

Allegation

Timeframe 2017/2018

There is an allegation that the Town received a grant to replace the stock of AR-15s in the police arsenal, and instead of properly disposing of the firearms being retired, they sold them to Rob Fagundes, and he then sold them online for a personal profit and possibly gave a kickback to Chief Ryder.

- Fagundes is currently a registered vendor in the Town's system
- Payment from Fagundes was added to ammunition line item in budget
- The number of AR-15s sold to Fagundes was the same as what were purchased with the grant money
- The sale was roughly a few months before Rob Fagundes left Boxborough
- There was a personal check from Fagundes to the Town/Department to pay for them

ATF should have a record of the sale of these weapons

Allegedly the Chief said "I can do what I want" when questioned internally about this.

Emergency Operations Center / COVID Command Center

Regarding The Emergency Operations Center (EOC) that occurred during COVID-19 at the hotel (March through July 2020), it is rumored that some officers were paid 12 hours a day for 7

days a week, and were told by command staff on Fridays that they could go home after lunch but just be back on Sunday after 10, even though they were paid for all 7 days.

- Additionally they would use rental cars for personal business
- Officers/patrol on duty to stop for "special packages" prepared by Boxborough Convenience to be dropped off at the hotel for officers.
- It is also rumored that after Robert Arakelian filed his hostile work environment complaint to the Chief, the Chief put him at the EOC to squash the complaint
- Also rumored that officers assigned at this location at times would be out hunting during the week.
- Reserve Fund Transfers for the BPD were sought and approved by the Finance Committee on July 9, 2020 and by the Select Board on July 13, 2020 for the following Covid salaries/expenses:

Police Salary (overtime) \$113,500 (in addition FY20 budgeted overtime)

Police Other (expenses) 13,700

<https://boxborough.vod.castus.tv/vod/?video=66684eb4-5073-4d0c-996d-c34158b330cc>
(Starting at 1:06:00)

During the SB meeting, the TA (Ryan) and the Accountant (Barrett) assured the Board that the monies would be reimbursed to the Town through the CARES Act and FEMA. No explanation for the large amount of overtime was given except that "several officers were reassigned to the Covid Command Center...staffing and decontamination issues" were responsible.

College Education Payments

Andrea's main allegation was around inappropriate pay for PCIPP incentives to officers, where she alleged Officers were getting paid incorrectly for their education level.

Additionally there is one officer Schaeffer who was also at the same time getting a degree and completing it, however was not paid like the other 4 officers before obtaining the degree.

The Town did find incorrect pay rates for officers.

This section is intended to put in a chronological timeline the series of events that transpired, aggregating from several sources.

Timeline

Date	Event
2018	<p>Per Andrea: Ryder starts to act differently to Andrea.</p> <p>Ryder gets O'Brien to handle personnel files including transcripts, background checks, etc.</p> <p>Ryder wanted all files to be electronic</p> <p>Ryder hires new co, DTS Tracking Systems ("no one understood why...the change. IMC was transparent.")</p>
3/2020-4/202	<p>Per Andrea: Andrea hears complaints from Landgren, Gath, Arakelian and Bowolick (who constantly complained about Pelley's rate of rate) about certain officers who were getting Quinn upgrades before completing degrees. Officers involved were Pelley, Bowolick, Patriarca and Bressi.</p>
5/2020	<p>Per Andrea: Tim Schaeffer completed Bachelor's Degree but had to wait until beginning of next fiscal year to get upgraded rate.</p>
5/2020	<p>Per Andrea: Andrea informs Jennifer Barrett about officers' Quinn payment complaints. Barrett's reply "interesting."</p>
6/7/2020-6/20/20	<p>Per Andrea: Bowolick says "Don't pay masters" to Andrea.</p>
6/7/2020-6/20/20	<p>Per Andrea: Andrea informs Sergeant Bielecki of Bowolick unearned education payroll upgrade</p> <p>Andrea, Bielecki and Bowolick all discuss improper pay rate</p>
6/7/2020-6/20/20	<p>Per Andrea: Sergeant Bielecki reports to LT. O'Brien</p>
6/2020...	<p>Per Andra: Ryder's treatment of Andrea & Bielecki gets more toxic</p> <p>Bielecki put on midnight vs. day shift and loses his vehicle</p>
7/13/2020	<p>Andrea informed by Ryder that New Hampshire citizen filed complaint against her for racial remark on Facebook. (Person also sent to Town Of Boxborough Facebook. Screenshot from inbox below)</p> <p>Andrea put on administrative leave 7/13-7/17</p>

7/16-17/2020	Per Andrea: Ryder tells Andrea she must meet with him and TA Ryan Ferrara on 7/20/2020
7/20/20	Ryder and Ferrara present Andrea with "Last Chance Agreement": 1. Sign and stay until 12/31/2020 and get retirement; or, 2. Don't sign and immediate termination. Upon advice of Counsel, Andrea's signs.
7/21/20-9/2020	Per Andrea: Andrea starts copying payroll, time sheets, emails, etc. so she won't be blamed for discrepancies. Cheating re overtime, holiday pay, misuse of comp time "Doing the Chief a favor like checking on his home, cat or wife earned you four hours overtime." Ryder has Andrea move all original time sheets etc. out of her office to outside cabinets. Ryder had only key.
End of 8/2020- beginning 9/2020	Per Andrea: Ryder tells Andrea she will work at home Mondays and Fridays. Ryder tells Andrea to take the computer home and "pretend to work." Ryder refuses to put that command in writing.
10/2020	Per Andrea: Chief orders Andrea to train Ashley Cartier, Dispatch Supervisor, to do her job. Andrea learns Ryder offered Cartier the job on 10/9/2020. Job posted internally, never externally.
10//2020	Per Andrea: Andrea notifies Jennifer Barrett for the second time of improper payments because of her job change.
10/22/2020	Per Andrea: Ryder sits with Andrea to do payroll. Andrea is suspicious and completes her own payroll records through 12/31/2020.
10/26/2020	Per Andrea: Ryder tells Andrea to bring her computer back in on 10/27.
10/27/2020	Per Andrea: Ryder greets Andrea outside the building. Andrea points to the computer in her car, enters her office and sees it changed. Ryder tells her he is "now taking over...unless I need you." Andrea never returns to the office.
12/2020	Per Ryder: News tip to Channel 7 who calls Ryder about allegations of payroll fraud. Ryder sends out email to entire department accusing everyone; wants work phones and emails and forbids any employee to speak to any retired employee.

12/23/2020	<p>Bowolick completes Masters Degree. (Exhibit A1) Notifies Ryder of the completion by presenting a letter from Anna Maria College</p> <p>Per Ryder: Ryder asks Ashley Cartier to verify Bowolick's new pay rate with Accountant Barrett. (Exhibit A1)</p> <p>(per corrected date by Ryder): Barrett "called" Ryder to say that Bowolick is already getting paid Master's upgrade pay.</p> <p>Ryder notifies ""impacted staff" of "accounting" error. (Exhibit A1a).</p>
12/24/2020	<p>Per Ryder's timeline: Ryder checks payroll system to verify employee rates Identifies 3 other incorrect employee rates</p> <p>Sends email to Cartier (cc Barrett) to make corrections (Exhibit A2)</p> <p>Notifies TA Ferrara of the issue by phone. Sends email to Ferrara (Exhibit A2)</p>
12/26/2020	Per Ryder: Cartier verifies payroll adjustments. (Exhibit A3)
12/28/2020	<p>Per Ryder: Maria Neyland, BSB Liaison to PD is notified by phone.</p> <p>Ryder asks K&P for legal advice (Exhibit A4)</p>
12/29/2021	Per Ryder: TA Ferrara contacted by WHDH-TV, 7 News in Boston; received tip about BPD "investigation"
12/30/2020	Per Ryder: Joe Fair, K&P responds to Ryder (Exhibit A4)
12/31/2020	Andrea's effective retirement date
1/00/2021	Per Ryder: Office of Inspector General reports anonymous complaint to TA Ferrara, he responds, OIG are satisfied (Exhibit J).
1/04/2021	Version 2 of the FY22 budget still shows Pelley, Patriarca and Bressi with upgraded education money.
1/?/2021	Ryder makes officers pay back unearned pay for only the period 7/2020-12/2020
1/05/2021	Per Ryder: Repayment option forms returned by employee; repayments begin next payroll (Exhibit A5)

2/02/2021	Version 3 of FY22 shows Pelley reduced to 10% (vs.20%) pay. Still shows Patriarca and Bressi with upgraded education pay.
2/10/2021	Per Ryder: FY20 Employee payroll verification forms set to Barrett and Treasurer Federico; not returned, signed off or verified by Finance Team
2/16/2021	<p>Per Finance Committee Meeting, 2/16/21 beginning at 2:10: https://boxborough.vod.castus.tv/vod/?video=03180c87-9694-4d98-a7c8-a24b6819d52a</p> <p>FinCom member Diana Lipari questions the increased salary of more than \$12,000 for Lieutenant Warren O'Brien in Version 4 of FY22 budget (\$100,109). Lipari is told by Barrett and Neyland that the Lieutenant has completed an Associates Degree and per the Quinn Bill is eligible for a 10% increase in salary. Barrett and Neyland also represent that O'Brien is on the Personnel Plan (not part of the union contract) and is therefore entitled to up to \$4,000 per year towards that degree. Barrett and Neyland further represent that the degrees for Quinn reimbursement are not subject to any specific regulations but are at the discretion of the Chief whether the degree is "useful" for the PD.</p> <p>FinCom votes to accept the Total Salary for the PD including the upgraded pay to O'Brien</p>
2/19/2021	Version 4 of FY22 budget is sent to FinCom members. Still shows Patriarca and Bressi with upgraded education pay.
2/22/2021	Maria sends email to Wes & Ryan F, that LT O'Brien is not eligible for Quinn payments as proposed in the budget
2/23/2021	<p>FinCom member Lipari receives a phone call from PB Chair Bak in the morning informing her that O'Brien is not eligible for the Quinn upgrade. She says Maria Neyland, Jennifer Barrett and Becky Neville all know this.</p> <p>Per Finance Committee Meeting 2/23/21 beginning at approximately 50:00: https://boxborough.vod.castus.tv/vod/?video=32c71a0c-125b-422c-badc-e469f6d22f48</p> <p>The FinCom meets in the evening of 2/23/2021. Chair Kushner proceeds to consider "Other" for the PD budget (#210). Barrett shows Version 4 of FY22 on the screen which still includes the upgraded pay for O'Brien (\$100,109). No one speaks until Lipari says that we should</p>

	reconsider the "Salary" category for the PD. Becky says "yes" she got an email saying Legal was consulted and O'Brien is not Quinn eligible. Barrett corrects the salary to \$91,005 saying she made the correction "yesterday."
2/24/2021	FinCom member Lipari calls FinCom Chair Kushner and asks if he was made aware of the O'Brien salary issue before the meeting on 2/23. He says he was not told and learned about it for the first time during the meeting when brought up by Lipari.
3/16/2021	Version 5 of FY22 budget is sent to FinCom members. Still shows Patriarca and Bressi with upgraded education pay.
3/19/2021	Andrea Veros sends complaint letter to BSB and Ferrara (Exhibit B)
3/22/2021	Ryder responds to Veros 3/19 letter (Exhibit C)
4/01/2021	SB Chair Fowlks sends email to Ryder: "Board has no intention of launching an investigation." (Exhibit C)
4/01/2021	Per Ryder: Veros sends complaint letter to active and former BPD staff. (Exhibit B)
4/15/2021	Per Ryder: Veros sends complaint letter to Personnel Board members (Exhibit B)
4/29/2021	Per Ryder: Veros sends complaint letter to FinCom members (Exhibit B)
6/29/2021	Ryder requests verification of repayment by police officers; Accountant Terkelsen and Treasurer Frederico agree. (Exhibit D)
7/21/2021	Per Ryder: FY21 employee payroll verification forms sent to ATA Rajon Hudson. Forms still not returned, signed off or verified by Finance Team.
9/4/2021	Veros sends updated complaint letter to ITA, Terenzini and ATA Hudson. (Exhibit E)
10/7/2021	Ryder sends Memo to ITA Terenzini with Timeline of Events and Exhibits [heretofore referenced]. Attaches additional Exhibits: Exhibit F: 2018 Organizational Chart for BPD. Exhibit G: Sample of form "Earned Time Benefits, Letter of Understanding." Exhibit H: Statement from Sergeant Bowolick. Exhibit I: Veros' Separation Agreement

10/11/2021	Ryder sends "Supplemental Memo" to 10/7/21 Memo to ITA Terenzini with date correction for contact with Barrett about payroll discrepancy; Attaches new Exhibit K with explanation of Pelley's "double entry" of comp time 4/10/2020.
10/21/2021	Ryder sends additional "Supplemental Memo" to 10/7/21 memo to ITA Terenzini with corrections to Exhibit J: <i>FY21: Four employee's rates of by: \$0.48, \$1.55, \$1.81 and \$3.61 = \$12,154 (recovered)</i> <i>FY20: Two employee's rates of by: \$0.76 and \$3.51 = \$13,364</i> <i>FY19: One employee's rate of by: \$0.69 = \$1,626</i> <i>FY18: No errors detected</i>

Suggested Line of Questioning regarding Andrea's raising awareness of improper payments

Andrea Veros

- In your letter to Rajon dated 9/24/2021 you stated that you informed Bielecki of the overpayments for degrees not earned, is this true?
 - Over what Medium was this information relayed?
- Also in your letter you stated that "I know Sergeant Bielecki went to Lieutenant O'Brien with the issue", is this still a true statement?
 - How do you know this occurred?
- Also in your letter you state you informed the Town Accountant Jennifer Barrett, is this still true?
 - What medium did you use to inform the Town Accountant at the time?
 - Do you remember or have evidence of this?
 - Do you have a more specific timeline other than just "last six months of my employment"?
- Did you contact any media about the payroll issue prior to December 23, 2020?
 - Do you know if any media representatives contacted the Chief prior to December 23, 2020?
- Do you have or did you remove the "Comp Time" approval form signed by Chief Ryder from the personnel file of Sergeant Pelley?
- Do you have or did you remove the "Earned Time Benefits, Letter of Understanding" from the personnel file of Detective Patriarca?
- Was it common for the payroll system to make a double entry of comp time for the officers?

- If so, how often did it happen?
- What was the normal procedure for a pay rate increase for an education degree in the PD?
 - Did the officer provide a certificate proving the new degree?
 - Did the Chief sign an approval form for the pay raise?
 - Did you handle the input of these raises into the system, did the Town Accountant have to make that entry?
 - Did the Chief have access to the system to input the pay raises on his own without your help or that of the Town Accountant?
- In the documents you provided to the Select Board in September 2021, you highlighted Chief Ryder's pay for the week ending 6/24/20, specifically "Covid OT Pay." Can you please tell us why that is highlighted?

Sergeant Bielecki

- Were you informed by Andrea that she believed or was made aware that officers were being paid Quinn education money for degrees they had not officially earned yet?
 - What medium was used to relay this information to you?
 - What did you do with this information?
- Did you report this information to Lieutenant O'Brien?
 - What medium did you use to make this report?
 - What was the Lieutenant's response to you making this report?
 - Did the Lieutenant inform you of any action he took with this information?
 - Are you aware of what the Lieutenant did with this information?
 - If the Lieutenant reported this information to the Chief, are you aware of what the Chief's response was?
 - Do you know when the Chief was made aware of this?

Lieutenant O'Brien

- Were you informed by Sergeant Bielecki that officers were being paid Quinn education money for degrees they had not officially earned yet?
 - What medium was this information relayed to you?
 - When was this information relayed to you?
- When you were made aware of this issue, what did you do with the information?
 - Did you document this anywhere?
- Did you inform Chief Ryder that there were officers being paid Quinn education money for degrees they had not officially earned yet?
 - What medium did you use to relay this information to Chief Ryder?
 - Do you remember on or about what date/time you reported this?
 - (if substantially distant in the future) Why was there such a large gap in time? Is this standard procedure?
- What was the Chief's response when he was made aware of this?
- Did you notify anyone else of this issue?

Jennifer Barrett

- During your time as Boxborough Town Accountant, how were the pay raises for BPD officers handled?
 - Did the Chief or his Admin call you and provide you with the education certificates?
 - Did the Chief or his Admin provide you with a signed verification form from the Chief?
 - Did you enter the new pay rate into the system showing the relevant percentage for that degree?
- During your time as the Town Accountant for the Town of Boxborough were you informed by Andrea Veros that she believed officers were being paid Quinn education money for degrees they had not officially earned yet?
 - What medium was used to relay this information to you?
 - What did you do with this information?
- When did Ashley Cartier contact you about the new pay rate for Sergeant Bowolick and by what means was that contact made?
- How did you determine that Bowolick was already at that pay grade?
- When did you contact Chief Ryder about Bowolick's pay rate and how was that contact made?

Sergeant Bowolick

- Does a Masters in Public Administration from Anna Maria College Qualify under the approved Policy Career Incentive Pay Program (PCIPP)?
 - <https://www.mass.edu/foradmin/academic/pcippapprovedprograms.asp>
 - Here is a list of the approved programs, can you please show us where a Master's Degree in Public Administration from Anna Maria College is?

Detective Patriarca

- Have you begun taking classes in pursuit of your Master's Degree for the purpose of the Policy Career Incentive Pay Program (PCIPP)?
 - When did those classes begin?
 - Can you provide us with the documentation showing the classes taken?

Officer Bressi

- Have you begun taking classes in pursuit of your Bachelor's Degree for the purpose of the Policy Career Incentive Pay Program (PCIPP)?
 - When did those classes begin?
 - Can you provide us with the documentation showing the classes taken?

Sergeant Pelley

- Have you begun taking classes in pursuit of your Bachelor's Degree for the purpose of the Policy Career Incentive Pay Program (PCIPP)?
 - When did those classes begin?
 - Can you provide us with the documentation showing the classes taken?

Other Allegations that we are aware of but not in scope

- Ryder would take unspent uniform allowance at the end of the fiscal year and purchase items for himself but charge it to officer's unspent amounts.
 - Also allegedly purchased cameras for personal and home use writing off as department equipment. Purchase of 5 high end DSLR cameras
- For night shifts, officers would often sleep in the large recliners in the locker room, and would fully strip down and sleep
- Special Police Officers and Reserve officers were hired as favors by Ryder, often without background checks or other vetting
 - Michael Fleurry
- Double dipping: During events at Gillette it was common practice for officers on shift to routinely leave their current shift in Boxborough to go down to work detail at the stadium while leaving 1 officer on duty in Boxborough to cover in case anything happened (Rumor also has it that Pelley and Bowolick were the most common officers who did this)
- Police Budget cut at June 2020 Town Meeting. Chief Ryder alleged that because of the cuts he had to end the BPD Community Safety Programs (creating community outcry). Information from Littleton Electric shows that the BPD was given a grant for \$12,500 for FY21 for the "BPD Motorcycle Program and BPD Community Safety Programs" (as they had done in 2019 and 2020). What did Ryder do with the money that was cut because of this program?
- Some officers working details would log different locations to hide the fact that they were taking town patrol cars to details that were often far from Boxborough - Calls to MassDOT and MSP detail scheduling for the dates where details were billed for do not match locations provided by MassDOT and MSP.
- Pelley entered comp time (when O'Brien was gone or maybe all the time). If he was called to do so off duty, he would enter the comp time from his phone and then enter 4 hours of comp time for himself for the administrative act.